

## Assembly

## Record of Committee Proceedings

## Committee on Judiciary

# Assembly Bill 278

Relating to: liens, public nuisances, witnesses, and liability of shareholders.

By Representatives Hundertmark, Gard, Suder, Jeskewitz, Gunderson, Wieckert, Huebsch, Nischke, Vrakas, Loeffelholz, Wood, Kaufert, Hines, Vos, LeMahieu, Hahn, Strachota, Owens, Moulton, Towns, Mursau, Nerison, McCormick, Honadel, Montgomery, Kleefisch, Davis, Van Roy, Petrowski, Ballweg, Albers, Pridemore, Meyer, Kreibich, Gielow, J. Fitzgerald, Ott, Lothian and Jensen; cosponsored by Senators Leibham, Schultz, Zien, Darling, Grothman, Olsen and S. Fitzgerald.

March 30, 2005      Referred to Committee on Judiciary.

March 31, 2005                      **PUBLIC HEARING HELD**

Present: (7) Representatives Gundrum, McCormick, Albers,  
Kerkman, Kleefisch, Turner and Kessler.

Excused: (1) Representative Staskunas.

## Appearances For

- Jean Hundertmark — Representative, 40th Assembly District
- David Zien — Senator, 23rd Senate District
- John Slein — Civil Trial Counsel of Wisconsin
- Pam Matthews — Office of Representative Jeskewitz
- Chris Plannerstill — Tool, Die, & Machining Assn. of Wisconsin
- Jim Haney — Wisconsin Manufacturers and Commerce
- Bob Fassbender — Wisconsin Manufacturers and Commerce
- Ron Kuehn — Wisconsin Cranberry Growers, Potato & Vegetable Growers, and Pork Producers

## Appearances Against

- Peg Lautenschlager — Attorney General, Wisconsin Department of Justice
- Paul Sicala — Wisconsin Academy of Trial Lawyers
- Dan Rossmiller — State Bar of Wisconsin

### Appearances for Information Only

- Alexander Pendleton — Wisconsin Technology Council Investment Capital Committee
- David Schwarz — Division of Hearings and Appeals

#### Registrations For

- Scott Suder — Representative, 69th Assembly District
- Garey Bies — Representative, 1st Assembly District
- Beata Kalies — Wisconsin Federation of Co-Ops
- Bill Skewes — Wisconsin Utilities Assn.
- Jerry Deschane — Wisconsin Builders Assn.
- Amy Boyer — Wisconsin Economic Development Assn.
- John Exner — Midwest Food Processors Assn.
- Bill Smith — Wisconsin Coalition for Civil Justice
- Bill Smith — National Federation of Independent Business
- Jim Boullion — Associated General Contractors of Wisconsin
- Paul Zimmerman — Wisconsin Farm Bureau
- Rebecca Larson — Xcel Energy
- Ron Kuehn — Wisconsin Biotech and Medical Device Assn.

#### Registrations Against

- Melissa Scanlan — Midwest Environmental Advocates
- Mark Reihl — Wisconsin State Council of Carpenters
- Kathryn Carlson — Department of Financial Institutions
- Joanne Ricca — Wisconsin State AFL-CIO
- Rex Loehe — on behalf of Joanna Richard, Department of Workforce Development

April 5, 2005

#### **EXECUTIVE SESSION HELD**

Present: (7) Representatives Gundrum, McCormick, Kerkman, Kleefisch, Staskunas, Turner and Kessler.

Excused: (1) Representative Albers.

Moved by Representative Staskunas, seconded by Representative Kessler that **Assembly Amendment 1** be recommended for adoption.

Ayes: (3) Representatives Staskunas, Turner and Kessler.

Noes: (4) Representatives Gundrum, McCormick, Kerkman and Kleefisch.

Excused:(1) Representative Albers.

ASSEMBLY AMENDMENT 1 ADOPTION NOT  
RECOMMENDED, Ayes 3, Noes 4

Moved by Representative Staskunas, seconded by Representative Kerkman that **Assembly Amendment 2** be recommended for introduction and adoption.

Ayes: (7) Representatives Gundrum, McCormick, Kerkman, Kleefisch, Staskunas, Turner and Kessler.

Noes: (0) None.

Excused:(1) Representative Albers.

INTRODUCTION AND ADOPTION OF ASSEMBLY  
AMENDMENT 2 RECOMMENDED, Ayes 7, Noes 0

Moved by Representative McCormick, seconded by Representative Kerkman that **Assembly Bill 278** be recommended for passage as amended.

Ayes: (4) Representatives Gundrum, McCormick, Kerkman and Kleefisch.

Noes: (3) Representatives Staskunas, Turner and Kessler.

Excused:(1) Representative Albers.

PASSAGE AS AMENDED RECOMMENDED, Ayes 4, Noes 3

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Jolene Churchill  
Committee Clerk